IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
APPELLATE SIDE
NAGPUR BENCH, NAGPUR

District :

Contempt Petition No. 282 of 2004

Office Notes, Office Memoranda of Coram, appearances, Court orders or directions and Registrar's orders

Court's or Judge's orders

CORAM: C. L. PANGARKAR J.
Dated: 19th January, 2007.

Heard the learned counsel for the respondent. None appears for the petitioner. A direction was issued by this Court in Writ Petition No. 4873/03 that the review petition filed by the petitioner on 26.11.02 should be considered and decided by respondent No. 6 within a period of 4 weeks. Review petition which was filed was

forwarded by respondent No.2 to the Hon'ble Governor of State of Maharashtra for consideration, as such as the review is required to be dealt with by the Hon'ble Governor under the Discipline & Appeal Rules. It appears from the affidavit however, that the Hon'ble Governor directed the State of Maharashtra that the review petition should be heard by the Minister concerned. Accordingly the matter was required to be placed before the Minister concerned but because of the operation of the code of conduct, the Minister of the State could not hear the appeal and the matter was required to be referred to third Minister. Accordingly the matter was placed before the Minister Shri Swaroopsing

Naik. The respondent has placed on record the order passed by the Minister on review petition filed by the petitioner. The said review petition stands dismissed on 20.01.05 by the Hon'ble Minister. It is stated in the affidavit that the matter could not be decided within the time stipulated by the Court on account of the fact that the matter was initially required to be referred to the Hon'ble Governor and the Governor directed the matter to be decided by the concerned Minister. Considering the fact that the matter was referred back by Hon'ble Governor to the Government the delay that was caused was not deliberate. There could be no intention to deliberately delay the matter. As such I find that since the

review petition has now been decided, the contempt stands purged. Hence the petition is dismissed.

JUDGE

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